IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2073 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG
HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PRAKASH BHIKHAJI AAREKAR - Petitioner(s)
Versus
GRAM PANCHAYAT SARIGRAM & 2 - Respondent(s)

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Appearance :
None for Petitioner(s) : 1,
None for Respondent(s) : 1,
MR DIPEN DESAI AGP for Respondent(s) : 2

None for Respondent-3.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

and

HONOURABLE MR.JUSTICE M.R. SHAH

Date : 28/06/2006

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

By this petition under Article-226 of the Constitution of India, the petitioner seeks to challenge constitutional validity of Section 56[2] of the Gujarat Panchayats Act. It is to be noted that constitutional validity of the said provision has already been upheld by this Court in the case of **Thakor Gandaji Chundaji & Ors. v. Secretary, Indrad Gram Panchayat & ors., reported in 2000 [2] GLR 959.** It is also to be noted that the period for which dispute relates, has also passed. Nothing further is required to be done in the matter. The petition is disposed of. Rule is discharged. No costs. Interim relief, if any, stands vacated.

[R.S. GARG, J.]

[M.R. SHAH, J.]

pirzada/-